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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,359	06/27/2001	Sang Seo	0630-1278P	2387
2292	7590	07/12/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			CHO, HONG SOL	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	

2662

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/891,359	SEO, SANG
Examiner	Art Unit	
Hong Cho	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 May 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 and 17-21 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15 and 17-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 5/24/2005. Claim 16 is canceled. Claims 1-15 and 17-21 are pending in the instant application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 12-15, and 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al (U.S 6198479), hereinafter referred to as Humpleman.

Re claims 1, 9, and 10, Humpleman discloses providing an Internet service in a non-IP based network comprising a first server (*home device*, elements 102, 108 and 110, figure 14) connected to a non-IP based network (*home network*, column 4, lines 40-42) and having an application program as installed and a second server (*Internet proxy*, element 1104, figure 14) connected to a non-IP network (*home network*) and an IP based network (*Internet*) and having the application program as installed so that a service

corresponding to an Internet service request is provided to the Internet according to the Internet service request received from the Internet (column 20, lines 53-62).

Re claim 2, Humpleman discloses HAVi (Home Audio/Video interoperability) home network (column 4, lines 36-37).

Re claim 3, Humpleman discloses transmitting Internet service in a digital format or a Web document format (column 4, lines 15-19).

Re claim 4, Humpleman discloses accessing and controlling home devices through Internet service (*the Internet service is accessed from the Internet to the first and second server to control the first and the second servers*, column 20, lines 53-62).

Re claim 5, Humpleman discloses a layered interface model that can be used to for communicating between home devices and providing an Internet service through Internet proxy (figures 2 and 14).

Re claims 6 and 7, Humpleman discloses each home device containing interface data (column 4, lines 15-18).

Re claim 8, Humpleman discloses a layered interface model that can be used to for communicating between home devices and providing an Internet service through Internet proxy (figure 2).

Re claims 12 and 13, Humpleman discloses providing an Internet service in a non-IP based network comprising a first appliance (*Internet proxy*, element 1104, figure 14) for controlling and communicating the non-IP based network with the Internet (*home network*, column 4, lines 40-42) and a second appliance which is connected with the first appliance for providing the Internet service to an appliance connected with the Internet

via the first appliance when the Internet service is requested by the appliance connected to the Internet via the first appliance (column 20, lines 53-62).

Re claims 14 and 15, Humpleman discloses each home network device functioning as a server for providing its own information (figure 3a; column 7, lines 13-15).

Re claims 17 and 18, Humpleman discloses the first server appliance as a DTV or DVD or DVCR (figure 14, elements 102, 108, 110) and a second server appliance as an Internet proxy (*set-top box*, figure 14, element 1104).

Re claims 19-21, Humpleman discloses an Internet proxy providing the Internet service request by allowing a user's access to one of home devices (column 20, lines 54-56).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claim 11 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman in view of Gupta et al (U.S 5864542), hereinafter referred to as Gupta.

Re claim 11, Humpleman discloses all of the limitations of the base claim, but fails to teach the server determining if the requested Internet service is a service to be provided by itself and not, then the server transmits an Internet service start signal to the first server connected to the non-IP based network to provide the Internet service. However, Gupta discloses a system where the Data Access Server receives a command requesting specific information, and if the information is locally present, the server will retrieve the information and report to the requesting process. If the information is not locally available, the server determines where the information resides, and automatically establishes a logical connection to the information source. The server then invokes proper procedure, protocol, and messages to collect the information, and presents the data to the calling process in the same way it presents the local information (column 33, lines 4-13). It would have been obvious to one having ordinary skill in the art at the time the invention was made to implement relational database system of Gupta into Humpleman to provide requested services through a distributed network resources for multimedia application support.

Response to Arguments

6. Applicant's arguments filed 5/24/2005 have been fully considered but they are not persuasive.

In response to applicant's argument on page 14 that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "how the home devices in such a non-IP based home network can be accessed

through the Internet" and "how to deal with the problems regarding the necessity and complexity for the home devices in a non-IP based network to know the specific details about the other communication layers when communicating with the other devices on the Internet") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Therefore, the Examiner concludes that the rejection of claims stands rejected.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087.

The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
7/8/2005


JOHN PEZZLO
PRIMARY EXAMINER